

Docket No.: 101188-34  
Customer No.: 27387  
Application No. 09/998,995  
Reply to Office Action of May 14, 2004

### REMARKS/ARGUMENTS

This is in response to official action dated May 14, 2004. Reconsideration is respectfully requested in view of the following comments.

A request for a three-month extension of time is submitted herewith.

Claims 1-4 stand rejected as being anticipated by Shimura. Shimura teaches a compiler system for transposing, outside of a client, a byte code into a native code, and then returns the transposed or compiled code back to the client. The execute form for the compilation is obtained from client, in accordance with the format of that same client needed to run the program.

In contrast, the present invention relates to a data storage system which resides in between a sending node and an outside node distinct from the sending node. So, as opposed to the Shimura reference which relates to a mechanism for taking data from a client and returning transformed data back to that same client, the present invention receives data and transforms it for sending on to another location.

More specifically, the claimed system is for transposing and processing data from a data sending node, according to a meta-data instructions stored on the system, which meta-data instructions correlate to the needs of a destination, or outer node, which is distinct from the sending node. This contrasts to Shimura, wherein the compiled data is simply returned to the original node, and is formatted for more efficient use by the same original node.

In concrete terms, the inventions are quite distinct: Shimura is a substitute compile server for transposing and returning Java codes into a format more readily usable by a client, while the claimed invention is for expediting electronic economic transactions by allowing data from one side to be

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automatically processed and reformatted according to the needs of the receiving side before being forwarded to said receiving side.

With respect to claim 1, the examiner states that Shimura teaches a data processing means, and refers to column 6. However, a review of the cited passage reveals no discussion regarding data processing. Furthermore, such data processing is completely unrelated to the purpose of Shimura, which relates only to compiling data on the side into a more usable code. It merely compiles data, as opposed to processing data. Accordingly, since Shimura does not teach the element of 'a data processing means', it can not anticipate claim 1. Likewise, claim 2-4 also have such a 'data processing means', and therefore none of claims 1-4 are anticipated.

Claims 9 and 10 stand rejected as being obvious over Shimura and Khan. The examiner cites Khan with respect to charge calculation. However, Khan does not make up for the deficiency of Shimura regarding data processing. Furthermore, there is no motivation to combine these two references, as they relate to inventions directed to completely different purposes. As stated above, Shimura is a side compiler for Java language programs, while Khan is automated software for metering of digital payloads. A skilled person would simply not look to Khan, when starting with Shimura as a reference. Therefore, claims 9 and 10 are not obvious.

Applicant has added new claims 11-14, which specifically highlight some of the additional features of the invention. Claim 11 requires that the relay node also send data to an outside node which is distinct from the data sending node, and claim 12 highlights that this outside node is the destination. Neither of these claims are anticipated by or rendered obvious by Shimura, since Shimura is concerned only with returning compiled data back to the requesting client, according to the executing needs of that same client. Claims 13 and 14 relate to the sending of data relative to a visually readable format, such as a debit note form. Again, this unrelated to Shimura, which is concerned only with compilation of computer code, not with visually readable data such as forms.

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Applicant acknowledges that claims 5-8 would be allowable if rendered in independent form.

Wherefore, allowance of all claims is earnestly solicited.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

By 

Bruce S. Londa  
Reg. No. 33,531  
220 East 42<sup>nd</sup> Street - 30<sup>th</sup> Floor  
New York, New York 10017  
Phone: (212) 808-0700  
Fax: (212) 808-0844

BSL:cbf